

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MASSACHUSETTS**

In re:) IN PROCEEDINGS UNDER
Amy Nixon,) CHAPTER 13
Debtor) CASE NO. 09-19877

)

**MOTION TO REINSTATE CASE AND
RENEWAL MOTION TO CONFIRM PLAN**

NOW COMES Attorney Richard Weiss, as present attorney for the Debtor Amy Nixon, and respectfully asks this Court to reinstate the Chapter 13 Plan of Debtor Amy Nixon.

As reason for this request, Attorney Richard Weiss takes full responsibility for ignoring the March 3, 2011 Plan as demanded by this Court.

As reason for this request, Attorney Richard Weiss states that he is in a state of transition, wherein his long-time Paralegal has left him, but nevertheless does fully understand it is his obligation to review all his emails, which he does not do that religiously.

In fact, Attorney Weiss did not learn of the Dismissal until the document was served upon the Debtor Amy Nixon.

Attorney Weiss calls upon the Court's discretion to allow the Chapter 13 Plan to be reinstated. However, Attorney Weiss brings to the Court's attention the following facts:

- 1) That, in general, Attorney Weiss is quite up-to-date and does address all issues that he is aware of in a timely fashion.
- 2) That it was Attorney Weiss' intervention that reinstated this case for Amy Nixon from her previous attorney and further had to do several motions for reconsideration in order to reinstate case.

- 3) That Attorney Weiss was instrumental in coordinating payments to the Bankruptcy Court so that now, not only are all back payments paid, but Amy Nixon is now current and up-to-date in her monthly payments.
- 4) That it would be ironic that the reason this matter stays dismissed is that Attorney Weiss was just attempting to bring to the Court's attention the renewal of the last Chapter 13 Plan so as to tidy up all loose ends.
- 5) Attorney Weiss points out that the main thrust of the Plan and corresponding problems are addressed in that the main purpose of the plan is to receive payments, and that is now being accomplished by the Debtor, Amy Nixon.
- 6) That Attorney Weiss points out to the Court there does not seem to be any harm that would befall any of the creditors or any other parties in interest for the delay and not properly responding to the Court's Order of March 3, 2011.

Respectfully submitted:
Amy Nixon, Debtor
By her Attorney:

/s/ Richard S. Weiss
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Date: 3/25/2011

CERTIFICATE OF SERVICE

I, Richard S. Weiss, Counsel for the Debtor hereby certify that on this 25th day of March, 2011, I served a true and accurate copy of this present *Motion to Reinstate Case* and a new copy of the *Renewal Motion to Confirm Plan* by electronic filing with the United States Bankruptcy Court for the District of Massachusetts using the CM/ECF System to Chapter 13 Trustee Carolyn Bankowski and US Trustee John Fitzgerald, Office of the US Trustee. As well as the following by either electronic filing or first class mail, postage prepaid:

Bank of America P.O. Box 1758 Newark, NJ 07101	Barclays 701 Corporate Center Drive Raleigh, NC 27607
Bay State Gas 2025 Roosevelt Avenue P.O. Box 2025 Springfield, MA 01102	Candica, LLC c/o Weinstein & Riley, PS 2001 Western Avenue, Suite 400 Seattle, WA 98121-3132
Capital One P.O. Box 85147 Richmond, VA 23276	Chase Bank USA, N.A. c/o Creditors Bankruptcy Service P.O. Box 740933 Dallas, TX 75374-0933
CR Evergreen, LLC MS 550 P.O. Box 91121 Seattle, WA 98111-9221	Exxon Mobile P.O. Box 4555 Carol Stream, IL 60197
Home Depot Processing Center Des Moines, IA 50364	HSBC P.O. Box 15524 Wilmington, DE 19850
Kohls P.O. Box 2983 Milwaukee, WI 53201	Lowes P.O. Box 103065 Roswell, GA 30076
LVNV Funding, LLC Resurgent Capital Services P.O. Box 10587 Greenville, SC 29603-0587	Massachusetts Housing Finance Agency 1 Beacon Street Boston, MA 02108-3110

Shawn Masterson Shechtman Halperin Savage, LLP 1080 Main Street Pawtucket, RI 02860-4847	Midland Credit Management, Inc. 8875 Aero Drive, Suite 200 San Diego, CA 92123-2255
Paul J. Mulligan Orlans Moran PLLC P.O. Box 962169 45 School Street Boston, MA 02108-3206	National Grid Customer Service P.O. Box 960 Northborough, MA 01532
National Grid 300 Erie Boulevard, West Syracuse, NY 13202-4250	Richard S. Ralston Weinstein & Riley, PS 2001 Western Avenue, Suite 400 Seattle, WA 98121-3132
Richard Rogerson 11 Beacon St Suite 625 Boston, MA 02108	Sears P.O. Box 182149 Columbus, OH 43218
Sovereign Bank 601 Penn Street 10-6438-CC7 Reading, PA 19601-3544	Sovereign Bank P.O. Box 16255 Reading, PA 19612
Target P.O. Box 59231 Minneapolis, MN 55459	Target National Bank c/o Weinstein and Riley, PS 2001 Western Avenue, Suite 400 Seattle, WA 98121-3132
Verizon New England P.O. Box 165018 Columbus, OH 43216	Walmart P.O. Box 960023 Orlando, FL 32896

Signed and Certified:

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